



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DST
TERMINAL DISCLAIMER
APPROVED

Applicant: Donald C. Abbott

Art Unit: 2827

AUG 29 2003

Serial No.: 10/073,523

Examiner: Zarneke, David A.

TECHNOLOGY CENTER 2800
SPECIAL PROGRAM CENTER

Filed: 02/11/02

Docket: TI-33822

For: Method for Fabricating Preplated Nickel/Palladium and Tin Leadframes

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING

REJECTION OVER A PRIOR PATENT

RECEIVED

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AUG 29 2003

OFFICE OF
PROGRAMS

Sir:

Petitioner, Texas Instruments Incorporated, a Delaware corporation having a principal place of business at 12500 TI Boulevard, Dallas, Texas 75243; P. O. Box 655474, Dallas, Texas 75265, is the owner of 100 percent interest in the instant application, as demonstrated by the Assignment which is recorded at Reel/Frame: 012779/0745. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,545,344. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is

statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned attorney of record is empowered to act on behalf of the corporation.

The undersigned has reviewed the evidentiary document(s) listed above and certifies that to the best of his knowledge and belief, title is in the assignee seeking to take the action stated above.

Please charge any necessary fee to the deposit account of Texas Instruments Incorporated, Account No. 20-0668. This form is submitted in triplicate.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

RENEE PRESTON *RP*
PARALEGAL SPECIALIST
TECHNOLOGY CENTER 2800

Date: June 24, 2003

Texas Instruments Incorporated
P. O. Box 655474, M.S. 3999
Dallas, Texas 75265
(972) 917-5653

Respectfully submitted,



Michael K. Skrehot
Reg. No. 36,682

T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

DATE: 29-Aug-03APPL. S.N.: 10/073,523TO: EXAMINER Zarneke, DavidART UNIT: 2827FROM: Preston, Renee

PARALEGAL SPECIALIST

RETURN THIS MEMO TO: CP4-6D34SUBJECT: Decision on Terminal Disclaimer (T.D.) filed: 27-Jun-03

INSTRUCTIONS: I have reviewed the submitted T.D. with the results as set forth below. If you agree, please use the appropriate form paragraphs identified by this informal memo in your next Office action to notify applicant of the T.D. If you disagree or have any questions, please see me or the Special Program Examiner. THIS IS AN INFORMAL, INTERNAL MEMO ONLY. IT MUST NOT BE (1) MAILED TO APPLICANT OR (2) PLACED OF RECORD IN THE APPLICATION FILE. When your action is complete, please Remove and discard this memo. THANK YOU.

- The T.D. is PROPER and has been recorded (see §14.23).
- The T.D. is NOT PROPER and has not been accepted for the reason(s) checked below (see ¶ 14.24):
 - The TD fee of has not been submitted nor is there any authorization in the application file for the use of a deposit account (see ¶ 14.26.07).
 - The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see ¶¶ 14.26 & 14.26.01).
 - The T.D. lacks the enforceable only during common ownership clause - needed to overcome a non-statutory double patenting rejection, Rule 321(h) (see ¶ 14.27.01).
 - The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion of the term of the entire patent to be granted" (MPEP 1490) (see ¶¶ 14.26 & 14.26.02).
 - The person who signed the T.D.:
 - is not an attorney "of record" (see ¶¶ 14.29 and 14.29.01).
 - has failed to state his/her capacity to sign for the business entity (see ¶ 14.28).
 - is not recognized as an officer of the assignee (see ¶¶ 14.29 & possible 14.29.02).
 - No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see ¶ 14.30).
 - The T.D. is not signed (see ¶¶ 14.26 & 14.26.03).
 - The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see ¶ 14.32).
 - The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed) is missing or incorrect (see ¶¶ 14.26, 14.27.02 or 14.26.05).
 - The period disclaimed is incorrect or not specified (see ¶¶ 14.26, 14.27.02 or 14.26.03).
 - Other:
 - Suggestion to request refund (see ¶ 14.36). NOTE: If already authorized, credit refund to deposit account and do not check this item.

I have appropriately notified applicant(s) of the status of the Terminal Disclaimer filed in this case.

Ex. Initials:

AK

Date:

9/2/03

Log Date:

Serial Number 	Application No.	Applicant(s)
	10/073,523	ABBOTT, DONALD C.

TERMINAL DISCLAIMER		<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DISAPPROVED
The term of this patent shall not extend beyond the expiration date of U.S. Patent No:	6,545,344		
The term of this patent subsequent to the adjacent date has been disclaimed.			
INTERNAL DOCUMENT – DO NOT MAIL		Document Code - DISQ	

U.S. Patent and Trademark Office